

REMARKS

Claim Objections

The Examiner objected to claim 43 pursuant to 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 43 is cancelled.

Claim Rejections - 35 U.S.C. §112

The Examiner rejected claims 5, 10, 16, 17, 32, 33, 34 and 40 under 35 U.S.C. §112, second paragraph. Applicant has amended its claims to address each of the concerns raised by the Examiner. Applicant believes the rejection pursuant to §112 has been overcome.

Claim Rejections - 35 U.S.C. §102

The Examiner rejected claims 1-3, 6, 7, 11, 14, 15, 18-24, 26-28, 35, 37, 38 and 41-46 pursuant to 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,062,613 to *Jung, et al.* Claims 26-28 and 43-46 have been cancelled. As to the remaining claims, Applicant disagrees with the basis for the rejection and believes these claims to be allowable over the cited reference.

Specifically, claim 1 requires “at least one of an inside and outside lock link mounted so as to be moveable between a first position at which operation of an associated release member causes movement of the pawl to release the latch, and a second position at which operation of associated release member does not cause movement of the pawl wherein the at least one lock link is mounted such that movement of the pawl is necessarily accompanied by movement of the link.” The Examiner

contends that *Jung, et al.* trigger element 18 constitutes such a lock link. Contrary to the Examiner's contention, however, trigger element 18 does not have the two specific positions set forth by claim 1: "a first position at which operation of an associated release member causes movement of the pawl" and "a second position at which operation of the associated release member does not cause movement of the pawl." While trigger element 18 has two positions, both positions may result in movement of the pawl to release the latch. In one position, trigger element 18 is lifted by either actuating element 24 or actuating element 25 to move detent pawl 2. In the other position, trigger element 18 may or may not be in position to cause movement of detent pawl 2 to release the latch. This situation depends on whether actuating elements 24 and 25 are able to engage teeth 26 of trigger element 18. Thus, trigger element 18 does not have "a second position at which operation of the associated release member does not cause movement of the pawl" as the second position of *Jung, et al.* may, in fact, cause movement of the pawl. Accordingly, claim 1 is allowable over *Jung, et al.*

24, 25
when not
engaged
(#18)
operation
of release member
(18) does not
cause movement
of pawl

The Examiner may contend that actuating elements 24, 25 constitute the lock link of claim 1. However, the lock link of claim 1 "is mounted such that movement of the pawl is necessarily accompanied by movement of the link." Actuating elements 24, 25 are not so limited. Claim 1 and its dependents, claims 1-7, 10-14, 18-21, 30-32, 35-38, 35-42 are allowable over the cited reference.

Examiner
has not
contended
this

Claim 5 requires a latch mechanism "in which indexing of a cam effects movement of the at least one lock link between the first and second positions. However, in *Jung, et al.*, no such feature is found. Indeed, indexing of controller 11 does not effect

Claim 5
has been
indicated
as allowable

movement of trigger element 18 between the first and second positions. Rather, indexing of this cam effects movement of "actuating elements 24 and 25."

Claim 15 requires "at least one lock link being moveable between a first position at which operation of an associated release member causes movement of the pawl to release the latch, and a second position at which operation of the associated release member does not cause movement of the pawl...." The link is "mounted for movement with the pawl." Again, for the same reason claim 1 is allowable over *Jung, et al.*, so too is claim 15. Specifically, trigger element 18, which is mounted for movement with the pawl, does not have "a second position at which operation of the associated release member does not cause movement of the pawl...." In the second position a trigger element 18, trigger element 18 may, in fact, cause movement of the pawl. Accordingly, claim 15 and its dependents, claims 16 and 17, are allowable over the cited reference.

As to claim 22, the Examiner contends that *Jung, et al.* discloses a "cam having a single plane profile (the profile of the cam, as viewed from the side, is in a single plane)." However, when control disk 12 is viewed from the side in Figure 3, control disk 12 does not have "a single plane profile" as required by claim 22. Indeed, lobe 16 does not extend across the entire width of control disk 12. Thus, to achieve a child safety mode of the latch, for example, when only actuating element 25 engages trigger element 18, at least a two plane profile is required. [See column 6, lines 22-32]. For this reason, claim 22 and its dependents, claims 23-24, 35-38 and 40-42, are allowable over the cited reference.

③
↓
all ①

viewed from
the side
the cam
occupies
a plane
completely
for right
to the far
left of
the cam.

In addition, as to claim 42, this claim requires "a release member" which is "capable of indexing the cam to move at least one of the lock links between the first and second positions." *Jung, et al.* has no such feature. Consequently, claim 42 is allowable.

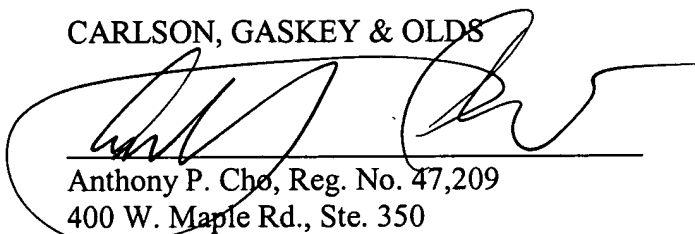
u) Release
member
= button
switch

Next, the Examiner relies on *Ursel, et al.* '003 to reject claims 22-24, 26-28, 35-38 and 40-46 pursuant to 35 U.S.C. §102(b). Claims 26-28 and 43-46 have been cancelled. As to claims 22-24, 35-38 and 40-42, Applicant disagrees with the basis for this rejection and believes these claims to be allowable over the cited reference.

The Examiner argues "the claims do not rule out the cam comprising separate cams each having a single plane profile." However, claim 22 requires in pertinent part "a cam having a single plane profile...driven by the actuator to select the states." Even assuming that claim 22 encompasses plural cams each having two distinct single planes, there is no one cam that selects between the states. Rather, it takes two cams of *Ursel, et al.* to "select the states" rather than one cam having a single plane profile. Because *Ursel, et al.* does not disclose one cam that selects these differing states, claim 22 and its dependents, claims 23-24, 35-38 and 40-42, are allowable.

Respectfully submitted,

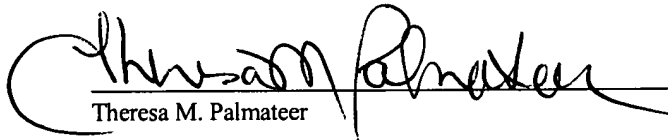
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CERTIFICATE OF MAILING

I hereby certify that the enclosed **Response** is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Assistant Commissioner of Patents, Washington D.C. 20231 on February 27, 2003.


Theresa M. Palmateer

APPENDIX A
VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS

5. (Twice Amended) A latch mechanism as defined in claim 1 wherein said at least one of an inside and outside lock link comprises both an inside and outside lock links and in which the inside and outside lock links are both mounted for movement with the pawl.

10. (Twice Amended) A latch mechanism as defined in claim 6 wherein said at least one of an inside and outside lock link comprises both an inside and outside lock links and in which indexing of the cam effects movement of both the inside and outside lock links.

16. (Twice Amended) A latch mechanism as defined in claim 15 in which the power actuator [which] indexes a cam [is the same power actuator which moves] as well as the pawl wherein indexing of the cam effects movement of the at least one lock link between the first and second positions.

32. (Twice Amended) A latch mechanism as defined in claim 1 wherein said at least one of an inside and outside lock link comprises both an inside and outside lock links and in which the inside and outside lock links are both mounted such that movement of the pawl is necessarily accompanied by movement of both the inside and outside lock links.

33. (Twice Amended) A latch mechanism including a housing, a pawl movably mounted in the housing to release a latch, [at least one of] an inside and outside lock links mounted so as to be movable between a first position at which operation of an associated

release member causes movement of the pawl to release the latch, and a second position at which operation of the associated release member does not cause movement of the pawl wherein [the] at least one of the inside and outside lock links is mounted such that movement of the pawl is necessarily accompanied by movement of the at least one of the inside and outside lock links wherein the inside and outside lock links are both mounted for rotation about a common first axis with the pawl.

40. (Amended) A latch mechanism as defined in claim 35 wherein said at least one of an inside and outside lock link comprises both an inside and outside lock links and in which indexing of the cam effects both movement of both the inside and outside lock links.